

In The Matter Of:
United States vs.
PFC Bradley E. Manning

Vol. 12
June 28, 2013
UNOFFICIAL DRAFT - 6/28/13 Afternoon Session

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VOLUME XII

IN THE UNITED STATES ARMY

UNITED STATES

VS.

MANNING, Bradley E., PFC COURT-MARTIAL

U.S. Army, xxx-xx-9504

Headquarters and Headquarters Company,

U.S. Army Garrison,

Joint Base Myer-Henderson Hall,

Fort Myer, VA 22211

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The Hearing in the above-titled matter was continued on Friday, June 28, 2013, at 2:30 p.m., at Fort Meade, Maryland, before the Honorable Colonel Denise Lind, Judge.

DISCLAIMER

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1 **APPEARANCES:**

2
3 **ON BEHALF OF GOVERNMENT:**

4 MAJOR ASHDEN FEIN

5 CAPTAIN JOSEPH MORROW

6 CAPTAIN ANGEL OVERGAARD

7 CAPTAIN HUNTER WHYTE

8 CAPTAIN ALEXANDER van ELLEN

9
10 **ON BEHALF OF ACCUSED:**

11 DAVID COOMBS

12 CAPTAIN JOSHUA TOOMAN

13 MAJOR THOMAS HURLEY

1 PROCEEDINGS,

2 THE COURT: The Court is called to order.

3 MR. MORROW: Your Honor, all parties are
4 present in Court with the exception of Captain Whyte,
5 who is absent.

6 THE COURT: All right. For the record,
7 Counsel and I met in our standing 02 Conference. And,
8 once again, that is a conference where I meet with
9 Counsel, we talk about logistics and scheduling issues
10 that may arise in cases.

11 And Counsel have advised me that they
12 are currently working on some additional stipulations
13 of expected testimony, and they have some other issues
14 and witnesses that will go for a lengthy period of
15 time.

16 So looking at the time that we have
17 today, the parties had come to an agreement, and the
18 Court has approved that agreement, that we are going to
19 stop Court for today, let the parties work out the
20 issues they need to work out. And we will resume on
21 Monday morning at 0930.

1 Is that an accurate description of the
2 our standing 02 Conference?

3 MR. MORROW: Yes, Your Honor.

4 THE COURT: Anything else we need to address
5 at this point?

6 MR. MORROW: There is one more administrative
7 issue. I know there's confusion about that plan for
8 next week over the 4th of July weekend. And the Court
9 did adopt on the record the prosecution's proposed
10 trial plan, which included not having Court on the
11 July 3rd, 4th and 5th. And if the Court could possibly
12 confirm that publically.

13 THE COURT: All right. Let me address that.
14 Initially, I asked the parties and Government to come
15 up with a trial plan, realizing that July 4th was going
16 to be on a Thursday and the July 4th celebrations take
17 up a lot of the Military District of Washington's
18 logistics and administrative assets, several of which
19 are devoted to this trial.

20 So at that point early, this was before
21 the trial started, the parties and I agreed that the

1 assets were unavailable on Wednesday and Thursday and
2 thus, that would only leave Friday. So we said there
3 was no real point in coming back on Friday in between
4 two days off and two other days off.

5 So initially the plan was to come to
6 court next Monday and next Tuesday and then come back
7 on the 8th, July 8th. Then, we had modified that and
8 we had come up with a tentative schedule that we were
9 going to finish today and then not come back until
10 Monday the 8th and start then.

11 Based on the issues we need to address
12 and the witnesses that we need to call, that plan is no
13 longer feasible. Which is why we are going on the
14 record on Monday. At this point the plan will be to
15 finish on Monday. However, should we have too much to
16 do and we need to come in on Tuesday, we will.

17 So the plan for next week is, we are
18 definitely not going to be in session Wednesday,
19 Thursday and Friday. We are going to be in session on
20 Monday at 0930. Tuesday is up in the air right now.

21 Anything further we need to address?

1 MAJOR HURLEY: No, Your Honor.

2 MR. MORROW: No, Your Honor.

3 THE COURT: All right. Court is in recess
4 until 093 on Monday.

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